

Applicant request a Special Exception under Section 2.16.050 B (Two or more nonconforming lots) in an A-2 (Apartment) zone.

This would permit the construction of an addition to the existing fire station, a portion of which is proposed to extend 10 feet into the required street side yard setback, for a total of 301 square feet of that building within the setback.

The required street side setback is 10 feet in the A-2 (Apartment) zone district.

BACKGROUND

The applicant is requesting Special Exception B to allow the construction of an addition to the existing fire station, 10 feet of which would extend into the street side yard setback for a 301 sq. ft. area of total encroachment. Through aerial photos, it was established that two houses on the same block extends 10 feet into that setback, and one house on the adjoining block extends 10 feet as well.

The existing building was constructed prior to 1955.

The Planning Division has not received any communications in support or opposition to the special exception request.

CALCULATIONS

Required street side yard setback = 10'

Requested street side yard setback = 0'

STAFF RECOMMENDATION

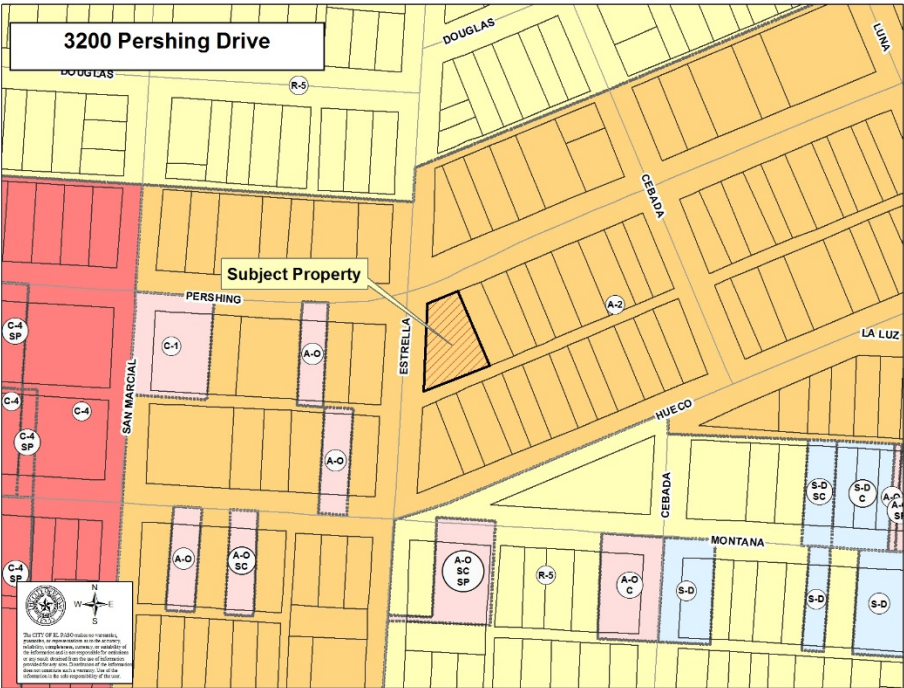
Staff recommends approval of the special exception request as the requested encroachment is equal to the encroachments into that setback already present on blockface of the subject property.

The Zoning Board of Adjustment is empowered under Section 2.16.050 B to:

“Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years;
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street;
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots; and
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception.”

ZONING MAP



NEIGHBOR NOTIFICATION MAP



